

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SEAN O'MALLEY,

Plaintiff,

CASE NO. 08-11595
HON. LAWRENCE P. ZATKOFF

vs.

CITY OF FLINT and GARY
HAGLER, Acting Police Chief,

Defendants.

OPINION AND ORDER

AT A SESSION of said Court, held in the
United States Courthouse, in the City of Port Huron, State of
Michigan, on the 6th day of August, 2009

PRESENT: THE HONORABLE LAWRENCE P. ZATKOFF
UNITED STATES DISTRICT JUDGE

This matter is before the Court on Defendant Gary Hagler's Motion for Reconsideration (Docket #32). In the Eastern District of Michigan, no responses are permitted unless ordered by the Court. E.D. MICH. LR 7.1(g)(2). In this case, the Court finds it unnecessary for Plaintiff to file a response.

In order to obtain reconsideration of a particular matter, the party bringing the motion for reconsideration must (1) demonstrate a palpable defect by which the court and the parties have been misled; and (2) demonstrate that "correcting the defect will result in a different disposition of the case." United States District Court, Eastern District of Michigan Local Rule 7.1(g). See also *Graham ex rel. Estate of Graham v. County of Washtenaw*, 358 F.3d 377, 385 (6th Cir. 2004); *Aetna Cas. and Sur. Co. v Dow Chemical Co.*, 44 F.Supp.2d 865, 866 (E.D. Mich. 1999); *Kirkpatrick v. General Electric*, 969 F.Supp. 457, 459 (E.D. Mich. 1997). "[T]he court will not grant motions for rehearing or reconsideration that merely present the same issues ruled upon by the court, either expressly or by reasonable implication." E.D. MICH. LR 7.1(g)(3).

Although the Motion for Reconsideration filed by Defendant Gary Hagler is well-written and sets forth a number of substantive arguments and cases in support of such arguments, the Court finds that he presents the same issues ruled upon by the Court in its July 10, 2009, Opinion and Order. Accordingly, Defendant Gary Hagler's Motion for Reconsideration is DENIED.

IT IS SO ORDERED.

s/Lawrence P. Zatkoff

LAWRENCE P. ZATKOFF
UNITED STATES DISTRICT JUDGE

Dated: August 6, 2009

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of this Order was served upon the attorneys of record by electronic or U.S. mail on August 6, 2009.

s/Marie E. Verlinde

Case Manager
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